

REMARKS

Initially, Applicant would like to thank Examiner Tate for the telephonic interview of October 7, 2004. Prior to the interview, Applicant submitted the current claim listing as a proposed amendment for discussion. Upon reviewing this proposed amendment, Examiner Tate stated that he felt the claims would be allowable, but indicated that he would be performing an additional search. The amendments contained herein reflect these proposed amendments. Therefore, Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 35, and 59 are currently being amended. This amendment changes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1, 3, 7-59 are now pending in this application.

The Patent Office issued an office action on May 26, 2004 rejecting claims 1-59. Claims 1-59 were rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. In particular, the Examiner indicated that claims 1 and 59 (the only pending independent claims) are "rendered vague and indefinite by the first step recitation in each claim."

Applicant has amended claims 1 and 59 to clarify the first step recitation in each of the claims respectively. Specifically, the Applicant has amended the claims to include discarding of the root, outer cortex and latex material (Paragraph 20, Line 2-3) forming a sample comprised substantially of the bulb portion of the plant (Paragraph 20, Line 3-4). In addition, the claims were amended to clarify the separation and isolation of the aqueous pulp like lower layer from the aqueous upper layer (Paragraph 22, Line 1-2). In addition, claim 35 had been amended to correct antecedent basis.

Applicant believes that the present application is now in condition for allowance.
Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a further telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1450. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1450. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1450.

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Respectfully submitted,

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